

REMARKS

The applicants thank examiner Siconolfi for holding a telephone interview with the applicant's representatives David Feigenbaum and Misha Hill on Jan 3, 2007. The examiner and the applicant's representatives discussed the differences between the references and the claims, and possible claim amendments.

The comments of the applicant below are each preceded by related comments of the examiner (in small, bold type).

Claims 1-3, 9-11, 26-28, 34-36, 57 are rejected under 35 U.S.C. 102(b) as being anticipated by Patil et al (U. S. Patent no. 5070284).

Vehicle suspension with actuator 100, Clamp circuit comprises control 142 and resistors 138 and switches controlled by relay 140

Claims 1-3, 6,7, 9-13, 16-22, 25-28, 31,32, 34-46, 57,58 are rejected under 35 U.S.C. 102(b) as being anticipated by Miller (U. S. Patent no. 5296785).

Vehicle suspension with actuator 100, Clamp circuit with coils 124, switches 162,166a, powered by battery 140 or capacitor 168, pulsed by pulser 182 See abstract.

Applicant's arguments filed 8/2/06 have been fully considered but they are not persuasive. Applicants argue that neither Patil or Miller disclose a clamp circuit that is activated by movement of the actuator. The examiner disagrees. The clamp circuits provide no damping until the actuator moves. Therefore, the clamp circuit, whose function is to provide damping, is activated by the actuator movement. Arguments based on the specific structure in the specification are irrelevant since such structure is not in the claims.

Claim 1 has been amended to recite that the clamp circuit includes "switch circuitry" and that the switch circuitry is "powered by energy from movement of the actuator." In both Patil and Miller, the switches or relays may be *triggered* to open or close based on the movement of the actuator, but the circuitry that controls them is not *powered* by energy from that movement. The rectifier 118 in Patil is used to route power to the suspension control circuit 124, but this power is redirected to put load on the machine 104 (see col. 5, lines 42-56) , it is not used to power the suspension control circuit 124 itself or any of the clamping relays. Neither Patil nor Miller, alone or in combination, describe or would have made obvious "a clamp circuit including a switch circuit powered by energy from movement of [an] actuator."

Independent claims 12, 19, 26, and 42 have been amended similarly to claim 1 and are patentable for at least similar reasons.

All of the dependent claims are patentable for at least the reasons for which the claims on which they depend are patentable.

Canceled claims, if any, have been canceled without prejudice or disclaimer.

Any circumstance in which the applicant has (a) addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or canceled a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

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Respectfully submitted,

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